IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO.246 OF 2007

Gaurav Vilas Wankhade .. Petitioner

Vs.

State of Maharashtra & Ors. .. Respondents

Mr.D.G.Motiwala for the petitioner

Mr.P.G.Sawant, A.G.P. for the respondent no.1 and 2

CORAM : J.N.PATEL &
S.C.DHARMADHIKARI, JJ.

DATED : 20TH FEBRUARY, 2007

P.C.:

1. Not on board. Mentioned.

2. The petition can be disposed of at this stage of admission itself.

3. The short question which requires consideration is that the petitioner has been waiting for caste certificate to be validated by respondent no.2 Committee. He has been informed by

the respondent no.4 College that his admission would stand terminated if he does not obtain the validity certificate. It is in this circumstances that the petitioner has approached this court.

3. The petitioner has been admitted to First Year Engineering Degree course in Computer Engineering of Vidyalankar Institute of Technology. There is no dispute over the fact that the petitioner's caste certificate has been referred to respondent no.2 for taking a decision in the matter since 30.06.06. The petitioner claims that he belongs to caste Jingar which is recognised as a Nomadic Tribe.

4. The learned counsel for respondent no.2 submits that the caste scrutiny committee would take a decision in the matter of validity of caste certificate by the petitioner within a period of 3 months from today. In view of this statement, we dispose of the petition in terms of prayer clause (a).

5. We make it clear that in case the

respondent no.2 caste scrutiny committee invalidates the caste claim of the petitioner, the respondent institution would not act on the order for a period of 2 weeks from the date of its communication so as to enable the petitioner to seek redress against the said order. Petition stands disposed of accordingly.

. Parties to act on an ordinary copy of this order duly authenticated by the Personal Assistant of this court.

(SHRI J.N. PATEL, J)

(SHRI S.C.DHARMADHIKARI, J)